

REMARKS

The application has been reviewed in light of the March 10, 2003 communication received from the PTO. Claims 2-21 are pending in the application. Claims 3 and 14 have been amended to correct typographical and language consistency errors. The March 10, 2003 communication from the Office found the amendment dated December 11, 2002 to not be fully responsive to the office action dated October 7, 2002 in that specific distinctions from the new claims 14-21 and the applied references were not provided.

As set forth in the previous amendment The Office Action equates trigger 48 of Danks to the release member recited in claim 3 and states that it has “a button portion (without specifically identifying the structure) and a camming surface inside the housing on the proximal end of the [trigger]”. For illustrative purposes FIGs. 1 and 2A of Danks are reproduced below.

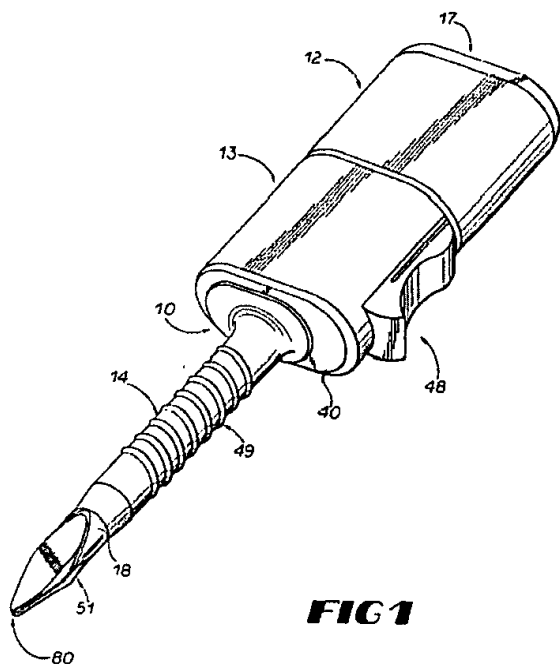


FIG 1

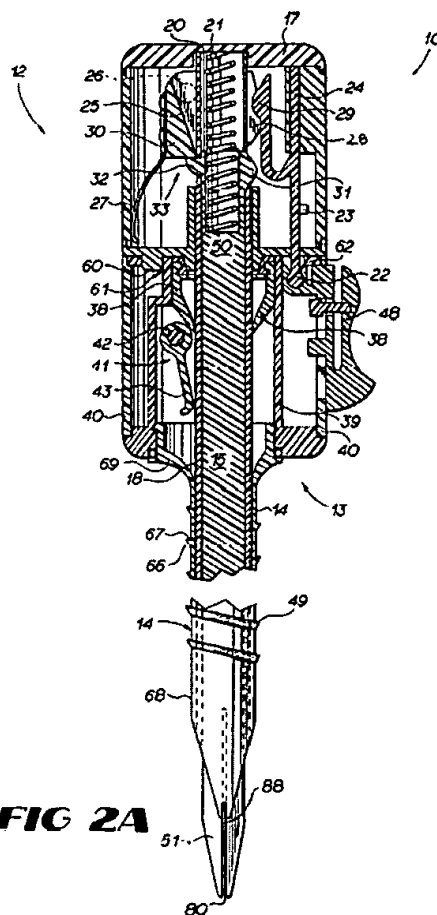


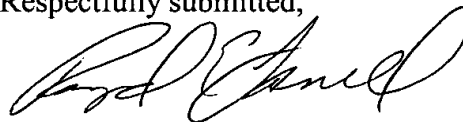
FIG 2A

In contrast to the disclosure of Danks, claim 14 recites that the button portion of the release member extends distally in axial alignment with at least a portion of the proximally facing end surface of the cannula. In each of the embodiments of the Dank patent, such as shown in FIGs. 1 and 2A above, there is no structure or portion of the trigger 48 disclosed or suggested which extends distally from a latch mechanism of an obturator assembly and which is in axial alignment with at least a portion of the proximally facing end surface of the cannula. In the embodiments illustrated in the Dank patent, the trigger 48 is mounted to the cannula housing and not the obturator housing. There is mention in the Dank patent specification that “[a]lthough the illustrated trigger 48 in FIG. 2A is mounted on the cannula 13, it is also possible to place the trigger 48 on the obturator 12 and utilize another guiding tab 60 in place of the linking member 24 to join the cannula 13 and obturator 12”. (Col. 5, l. 19-23). However, this still does not

disclose or suggest a button portion which extends distally from a latch mechanism of an obturator assembly and which is in axial alignment with at least a portion of the proximally facing end surface of the cannula. Accordingly, for at least the above reasons, claims 14-21 are believed to patentably distinguish over the applied art.

In view of the above remarks and those submitted with the response dated December 11, 2002, each of the pending claims 2-21 are believed to be allowable over the art of record. Therefore, reconsideration and withdrawal of the outstanding rejections are respectfully requested. Should the Examiner believe that a telephone or a personal interview may facilitate resolution of any remaining matters, he is respectfully requested to telephone Applicant's undersigned representative at the number indicated below.

Respectfully submitted,



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